



Docket: T2147-906520

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Armand NACHEF et al. :
Serial No.: 09/582,755 :
Filed: November 3, 2000 : Group Art Unit: 2122
For: METHOD FOR CONTROLLING A : Examiner: Kuo Liang J. TANG
FUNCTION EXECUTABLE BY SPECIFIC :
COMMANDS TO DIFFERENT SOFTWARE :
TOOLS :

REQUEST FOR RECONSIDERATION

RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AUG 03 2004
Technology Center 2100

Sir:

In response to the Office Action dated May 5, 2004, reconsideration in view of the following comments is respectfully requested. Claims 7-27 are pending.

The Office Action rejects claims 7-9, 11, 13, 15, 17, 19-20, 22-24 and 26-27 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,434,694 to Slaughter et al. (hereinafter "Slaughter") in view of U.S. Patent No. 5,634,016 to Steadham et al. (hereinafter "Steadham"). Furthermore, claims 8, 10, 12, 14, 16, 18, 21 and 25 are rejected under 35 U.S.C. § 103(a) as unpatentable over Slaughter in view of Steadham and further in view of U.S. Patent No. 5,678,047 to Golshani et al. (hereinafter "Golshani").

Independent Claim 7 recites a method for controlling a function executable by various software products by means of commands specific to the respective software products and each command capable of having at least one option... including defining in an abstract class an abstract method for the function, the abstract method including parameters corresponding

to union, in the logical sense, of all options of a specific command, defining a common command that includes arbitrary symbols corresponding to parameters of the abstract method... and executing by the driver one of the specific commands.... Similarly, independent Claim 20 recites that each command is capable of having at least one option... and means for defining an abstract class and abstract method for the function, the abstract method including parameters corresponding to a union, in the logical sense, of all the options of a specific command. Independent Claim 26 includes the language of defining in an abstract class an abstract method for the function, the abstract method including parameters corresponding to all of the options of a specific command, where the options are an argument that is capable of modifying a function of a specific command.

As previously discussed, Slaughter is directed toward a security system for a platform-independent device driver. At no point does Slaughter teach or suggest that the abstract method can include parameters corresponding to a union of all the options of a specific command. While Slaughter discloses in various locations that the classes include objects, at no point does Slaughter teach or suggest the above feature. Furthermore, as agreed by the Examiner, "Slaughter does not explicitly disclose mapping the options of each specific command to the common command." However, the Office Action points to Fig. 19 steps 1902, 1904 and 1906 of Steadham asserting that it teaches "defining in an abstract class an abstract method for the function, the abstract method including parameters corresponding to the union and the logical since while the options of a specific command."

Steadham is directed toward an event management system which relates to a computer integrated event management system designed for use by hotels and entertainment producers in hotels and other facilities in which banquettes, meetings, shows and other programs are held. The relied upon portion of Steadham relates to the EVENT/CAD program module and how it works with three different command structures. In particular, the

EVENT/CAD program module accomplishes the command structure by implementing many different programs written in the Autolisp (Lisp) programming language and attaching them to a standard AutoCAD structure. The EVENT/CAD program module, by providing unambiguous, menu-driven processing and a number of subroutines whose operation is transparent to the user, is user-friendly while both avoiding trivialization and retaining the immensed power of a CAD-based designed systems. While Steadham discusses the ACAD.LISP subroutine in conjunction with steps 1900-1908 in Fig. 19, and defines a function called SSUNION, SSDIF and SSINTER, we can find no correlation between the definition of these functions, which appear to be specific AutoCAD routines, and the features as set forth in the claims.

The “SSUNION” function, which is called by the ACAD.LSP subroutine, creates a “union of selection sets by using the select command at step 1902.”

The SSDIF function creates a union of selection sets by using the select command with the R option and the SSINTER function creates a set of the intersection of selection sets. (See column 30-33 of Steadham)

However, at no point does Steadham teach or even suggest that the union is ever for *all* selection sets moreover all options of the selection sets.

It is well established law that the references must teach each and ever feature of the claim, there must be a reasonable expectation of success, and there must be some suggestion or motivation to modify combined reference teachings to satisfy the requirements under 35 U.S.C. § 103. Neither of the references teach or suggest each and every feature of the independent claims. Moreover, since the references are from completely diverse technological fields there can be no expectation of success in there combination, the combination would alter the principle operation of the references, and there is no motivation to combine the references. This application is apparent in that the Office’s relied upon

motivation as stated on page 5 of the Office Action is entirely circular in that it alludes to modifying Steadham with the teachings of Steadham to "map the options of each specific command to the common command."

Golshani, as previously outlined, fails to overcome the deficiencies as noted above in relation to Slaughter and Steadham.

At least based on the above, it is readily apparent that the remaining claims are also patentably distinguishable from the references of record and the various rejections under 35 U.S.C. § 103 are untenable and should be withdrawn.

The Commissioner is hereby authorized to charge to deposit account number 50-1165 (Docket No. T2147-906520) and fees not included herein, under 37 CFR §§ 1.16 and 1.17, that may be required by this paper and to credit any overpayment to that Account. A duplicate copy of this page is included for such purpose. If any additional extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully,

MILES & STOCKBRIDGE P.C.

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/582,755	
	Filing Date	November 3, 2000	
	First Named Inventor	Armand NACHEF	
	Group Art Unit	2122	
	Examiner Name	Kuo Liang J. TANG	
Total Number of Pages in This Submission	5	Attorney Docket Number	T2147-906520

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Other Enclosure(s) (please identify below): RECEIVED AUG 03 2004 Technology Center 2100
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-1165 (T2147-906520) for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
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Signature	<i>Edward J. Kondracki</i>
Date	July 29, 2004

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